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SUBJECT: GOT HANDLING OF SEMDINLI CASE DEEPENS CYNICISM IN
SOUTHEAST TURKEY

Classified By: Consulate Adana Principal Officer W. Scott Reid, reasons
1.4 b and d.

11. (C) Summary: A Hakkari court released the jandarma sergeant accused of killing a person when he fired on a demonstrating crowd following the Semdinli bombing, and decided to separate his case from the cases of the two jandarma sergeants and one informant accused of the bombing that triggered the demonstration. Southeastern Turkey's ethnically-Kurdish public is critical of the decision and believes that both cases should be seen as part of one event. In a separate case, a military court decided to detain a PKK defector turned informant in a case involving eight mysterious killings in the southeast, while releasing the jandarma defendants. These developments have deepened to the already high level of anti-government cynicism in Turkey's southeast. End Summary.

Court Separates Cavus Case from Bombing Case

12. (U) In recent developments related to the November 9, 2005 bombing in Semdinli, the press reported on January 19 that the Hakkari Heavy Penalty Court decided to separate the case of Sergeant Tanju Cavus, accused of killing one person when he allegedly opened fire at a demonstrating crowd following the bombing, from the three defendants accused of the bombing itself. The court then released Cavus from custody pending trial. The press reported on January 20 that people in Semdinli protested Cavus' release by closing businesses.

13. (C) Hakkari CHP deputy Esat Canan, an eyewitness to the events who testified at the Cavus hearing, told us that he had been threatened because of his statements about the Semdinli case. Canan maintains that the Cavus case was not separate from the rest of the case, but an integral part of it. Canan added that many activities in the region are connected to the Semdinli case and should be viewed by the courts as organized criminal activities perpetrated by elements of the "deep state."

14. (C) In a meeting with Embassy officers, Hakkari human rights attorney Rojbin Tugan also criticized the separation of the Cavus case from other cases. Tugan believes that separating the cases ignores the fact that "this is all part of one event." She said that the Hakkari court is under the thumb of the local jandarma, which would influence the outcome of the trial. Tugan noted pointedly that there have been no further bombings in Hakkari since the Semdinli incident. (Note: The implication was that security forces are being more cautious now that they have been caught. End

Note.) She was also skeptical that the parliamentary commission investigating the Semdinli incident would accomplish anything. She noted that the commission had only visited Hakkari once. Meanwhile, Tugan added, security forces in Hakkari have increased pressure on local residents. She said that one tactic used by security forces was to have masked teams search a home, followed by the regular police. Related Case: PKK Defector Arrested, Co-defendants Not

15. (SBU) In a related development, the press reported on January 31 that a military court tried members of a criminal ring allegedly comprising jandarma members charged with carrying out eight mysterious killings in Turkey's southeast.

The court ordered defendant Abdulkadir Aygan, allegedly a PKK defector who revealed the alleged crimes of the group, detained pending the trial. Although one attorney in the case recommended that the other defendants be detained as well, we have no indication the jandarma defendants will be arrested.

Comment

16. (C) Sergeant Cavus, release, the separation of his case from the other defendants, and the court decision in a separate case to arrest only a PKK defector but not jandarma co-defendants, have deepened already-widespread anti-government cynicism in the southeast.

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